

SENATE BILL 1197

By Taylor

AN ACT to amend Tennessee Code Annotated, Title 35;
Title 56 and Title 62, Chapter 5, relative to life
insurance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 2, is amended by
adding the following as a new section:

(a) As used in this section:

(1) "Department" means the department of commerce and insurance;

(2) "Funeral director" means an individual, or the individual's agent, who

is:

(A) Engaged in the practice of funeral directing; and

(B) Licensed pursuant to § 62-5-305;

(3) "Funeral establishment" means a business, whether a proprietorship,
partnership, firm, association, or corporation, or an agent of the business, that is:

(A) Engaged in arranging, directing, or supervising funerals for
profit or other benefit, the preparation of dead human bodies for burial,
the disposition of dead human bodies, the provision or maintenance of a
place for the preparation for disposition, or the care or disposition of
human bodies; and

(B) Licensed pursuant to § 62-5-304; and

(4) "Insurer" means an entity that writes, issues, or otherwise provides
life insurance contracts in this state, including an insurance company, annuity
company, or trust company.

(b)

(1) An insurer shall provide the names of the beneficiaries of the decedent's life insurance policy, the benefit amount under the policy, and other information requested by a funeral director or funeral establishment that contacts the insurer on behalf of the decedent's family.

(2) An insurer shall provide the information required by subdivision (b)(1) within one (1) business day of the date on which the funeral director or funeral establishment contacted the insurer. The insurer may provide the information by fax or email, or by telephone; provided, that the manner in which the insurer chooses to provide the required information must allow the funeral director or funeral establishment to receive the information within the timeframe required by this subdivision (b)(2).

(3) Except as provided in subdivision (b)(4), an insurer may require the funeral director or funeral establishment to provide proof that the funeral director or funeral establishment contacted the insurer on behalf of the decedent's family; provided, that the insurer allows the funeral director or funeral establishment to provide proof in a reasonable manner that does not otherwise impede the funeral director or funeral establishment from obtaining the information required by subdivision (b)(1) within the timeframe required by subdivision (b)(2).

(4) An insurer shall not require a funeral director or funeral establishment to submit a death certificate to obtain the information required by subdivision (b)(1).

(c) A funeral director or funeral establishment that is denied policy information in violation of subsection (b) may file a complaint with the department. If the department

finds that an insurer violated subsection (b), then the department shall assess the insurer a civil penalty of five hundred dollars (\$500).

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it, and applies to conduct occurring, and policies entered into, amended, or renewed, on or after that date.